UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY	
	X
CARLA MCKELVIN,	· :
Plaintiff,	: :
v.	: : 21-CV-11925-CCC-LDW
SAINT MICHAEL'S MEDICAL CENTER,	: :
Defendant.	: :
	:
	X

## ARBITRATION STIPULATION AND (PROPOSED) ORDER

WHEREAS, on or about May 28, 2021, plaintiff Carla Mckelvin ("Plaintiff") filed a civil Complaint in the United States District Court, District of New Jersey, Civ. Case No. 21-CV-11925-CCC-LDW, alleging violations of the Family and Medical Leave Act ("FMLA") and the New Jersey Law Against Discrimination ("LAD");

WHEREAS, Plaintiff and Defendant entered into an arbitration agreement (the "Arbitration Agreement") and have agreed that the claims in this Action are governed by the Arbitration Agreement;

WHEREAS, pursuant to the Arbitration Agreement, Plaintiff and Defendant have agreed to submit the Action to binding and final arbitration through JAMS and pursuant to JAMS Employment Arbitration Rules and Procedures; and

WHEREAS, the parties have agreed that this Court shall retain jurisdiction of this matter to enforce any arbitration award;

NOW, THEREFORE, Plaintiff and Defendant, by and through their respective counsel, hereby stipulate and agree as follows:

- 1. The Action shall be submitted to binding arbitration before JAMS in accordance with the terms set forth in the Arbitration Agreement;
- 2. The Action shall be stayed pending arbitration, and all dates currently on the calendar shall be vacated; and
- 3. Plaintiff shall commence arbitration with JAMS as soon as reasonably practicable after entry of the proposed order.

Dated: July 8, 2021

SHNAYDER LAW LLC

Dated: July 8, 2021

LITTLER MENDELSON P.C.

By: /s/ Erica Shnayder

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Medical Center

## **PROPOSED** ORDER

Having reviewed and considered the stipulation between Plaintiff Carla Mckelvin and Defendant Saint Michael's Medical Center to submit Plaintiff's claims in this matter to arbitration, IT IS HEREBY ORDERED:

- 1. Plaintiff shall submit her claims to arbitration and the matter shall be arbitrated pursuant to the terms of the parties' arbitration agreement.
  - 2. This action shall be stayed until completion of arbitration.

IT IS SO ORDERED.

Dated: July 21, 2021

HON. LEDA D. WETTRE, U.S.M.J.

Teda Dunn Wettre

\*Further, this matter shall be administratively terminated pending arbitration, and the Clerk of Court is directed to mark the matter "closed." This shall not constitute a dismissal Order under Federal Rule of Civil Procedure 41. Any party may file a letter request to reopen this matter and restore it to the Court's active docket at the appropriate time.